



REGISTRAR OF REGULATIONS
08 NOV -4 PM 3:20

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 070-036, WESTERN BRANCH OF LYNNHAVEN RIVER

EFFECTIVE 18 NOVEMBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 071-025, Lynnhaven Bay," effective 19 February 2008, is canceled effective 18 November 2008.
2. Condemned Shellfish Area Number 070-036, shown as Sections A through H, is established effective 18 November 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Western Branch of Lynnhaven River, Condemned Shellfish Area Number 070-036, 18 November 2008" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 070-036

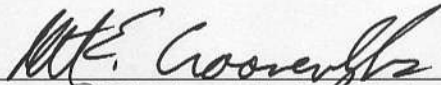
- A. The condemned area shall include that portion of the Western Branch of the Lynnhaven River and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (36°53'18.4", -76°06'36.2") and map coordinate (36°53'10.2", -76°06'19.8").
- B. The condemned area shall include that portion of Pleasure House Creek and its tributaries lying upstream and inland of a line drawn between latitude / longitude map coordinate (36°54'05.6", -76°06'02.1") and map coordinate (36°53'59.7", -76°06'07.7").
- C. The condemned area shall include all of an unnamed inlet of Lynnhaven Bay lying upstream of a line drawn between latitude / longitude map coordinate (36°54'14.8", -76°05'42.5") and map coordinate (36°54'13.4", -76°05'43.9").
- D. The condemned area shall include all of an unnamed cove of the Western Branch of the Lynnhaven River lying upstream of a line drawn between latitude/longitude map coordinate (36°53'10.2", -76°06'19.8") and map coordinate (36°53'24.7", -76°06'04.9").

VDH VIRGINIA
DEPARTMENT
OF HEALTH
Protecting You and Your Environment

www.vdh.virginia.gov/shellfish

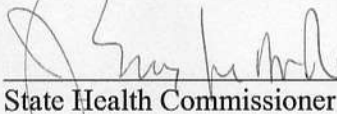
- E. The condemned area shall include all of an unnamed inlet of the Western Branch of the Lynnhaven River lying upstream of a line drawn between latitude / longitude map coordinate (36°53'24.9", -76°06'02.2") and map coordinate (36°53'25.0", -76°05'59.7").
- F. The condemned area shall include all of an unnamed inlet of the Western Branch of the Lynnhaven River lying upstream of a line drawn between latitude / longitude map coordinate (36°53'29.5", -76°05'58.7") and map coordinate (36°53'30.0", -76°05'59.0").
- G. The condemned area shall include all of Keeling Cove lying upstream of a line drawn between latitude / longitude map coordinate (36°53'29.4", -76°05'37.4") and map coordinate (36°53'27.9", -76°05'36.0").
- H. The condemned area shall include all of Bayville Creek lying upstream of a line drawn between latitude / longitude map coordinate (36°53'18.4", -76°06'36.2") and map coordinate (36°53'27.3", -76°06'22.7").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:

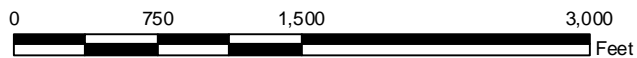


State Health Commissioner

11/3/06

Date

**Virginia Department of Health
Western Branch of Lynnhaven River
Condemned Shellfish Area Number 070-036
18 November 2008**



City of
Virginia
Beach

Pleasure House Cr
10-68-04

Lesner
Bridge

Condemned
Shellfish Area
071-095



Condemned Shellfish Areas
(Sections A - H)



(36°53'18.4", -76°06'36.2")
(36°53'27.3", -76°06'22.7")
(36°53'29.5", -76°05'58.7")
(36°53'25.0", -76°05'59.7")
(36°53'24.9", -76°06'02.2")
(36°53'24.7", -76°06'04.9")
(36°53'10.2", -76°06'19.8")

Western Branch
Lynnhaven River
10-68-06

Lynnhaven
Bay
10-68-00

Keeling
Cove
10-68-08

Condemned
Shellfish Area
070-025

Dix Inlet
10-68-10

City of
Virginia
Beach

Geographic coordinates in NAD83 datum;
shown in degrees, minutes & seconds.